

STUDENT ACCESS TIGHTENED

Changes Set in Records Act

By John Mathews
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In an unusual move, the disclosure law on federal student records — in effect since Nov. 19 — will be revised and clarified through new amendments with the cooperation of its author, Sen. James L. Buckley, the New York Conservative-Republican. The nation's higher education establishment, led by the American Council on Education, has waged an intensive lobbying effort against the law, charging it was poorly drafted and filled with ambiguities.

Yesterday, after a meeting with Sen. Claiborne Pell, D-R.I., chairman of the Senate education subcommittee, Buckley, in effect, agreed with the critics and announced with Pell that he would jointly sponsor amendments to "clarify certain ambiguities" in the Family Educational Rights and Privacy Act, known as the Buckley Amendment.

Pell had threatened earlier to seek an after-the-fact deferral in the effective date of the new law, a move favored by the higher education groups.

The Pell-Buckley compromise, which still must be worked out in detail, will deal with most of the objections raised by colleges and universities, it was learned. But, staff of both senators insist that the basic thrust of the Buckley Amendment — opening up most student records to parents, to all students over 18, or to students attending colleges, or other post-high school institutions — will be preserved.

MAJOR changes agreed to in principle by the senators would exempt from disclosure to students confidential letters of recommendation, family financial statements and personal records of



—Star-News Photographer Joseph Silverman

SEN. JAMES F. BUCKLEY

psychiatrists or psychologists, all of which critics said had to be revealed under the law's current wording.

The rewriting of the law would make clear that no retroactive right to files would exist, thus barring former students from seeing their records, as well as unsuccessful applicants to colleges or graduate schools seeking to find out why they failed to gain admission.

Under the current language of the Buckley Amendment, parents would appear to have no right to receive from a college any information about their children. But, the revision would allow disclosure of records like grades or health examinations to parents whose children in college are still dependent on them for support.

The revision also will qualify to an extent disclosure of records to outside sources, barred in most cases now without permission of parent or students over 18.

Colleges, for example, could notify a bank when a student has left a

college so the bank can terminate the student's loan and begin to collect. In emergency circumstances, colleges or school systems would also be allowed to release vital health or other information to outside sources with a pressing need for such data.

CERTAIN NEW limits will also be placed on the right of the parent or student under the law to demand a hearing to challenge material in his file. The existing law, colleges have argued, could permit a student or a parent to seek a formal hearing to challenge a grade given by a professor or teacher.

Despite the modifications, most of them in response to pressure from colleges, the Buckley Amendment, which is now being followed generally by most colleges and school systems, will still lead to widespread changes in the handling of student records.

Parents and students over 18, or those in college, will have the right to inspect and challenge virtually all personal files kept by the college or school system they attend, including: IQ and achievement test scores, psychological test results, teacher or counselor observations and ratings, health data, family background information.

College students would have the right to any files maintained about them by security offices, athletic departments, job placement offices or other institutional units.

Strict limits are set forth for releasing data to outside sources like police or prospective employers and are expected to be retained in any revision of the law.

District area school systems have all adopted new procedures conforming to the Buckley Amendment, although personal files of psychologists and counselors are still considered privileged.